

REMARKS

Applicants reply to the Office Action dated December 22, 2010 within three months. Claims 1-46 were pending in the application and the Examiner rejects the pending claims. Applicants cancel claims 24 and 38-46 without prejudice or disclaimer from filing one or more applications having similar subject matter. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Applicants assert that the application is in condition for allowance and reconsideration of the pending claims is requested.

The Examiner rejects claims 22, 23 and 41-43 under 35 USC 101 as containing non-statutory subject matter, specifically that the above claims are directed towards software. Applicants respectfully disagree with these rejections, but Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution. In particular, Applicants amend claims 21-23 to include "An article of manufacture including a non-transitory, tangible computer readable medium having instructions stored thereon that, in response to execution by a recording computer based system, cause the recording computer based system to perform operations." Applicants cancel claims 41-43, so those rejections are now moot.

The Examiner rejects claims 1-46 under 35 USC 102 (e) as being anticipated by Hwang et al. Applicants respectfully disagree with these rejections, but Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution. Applicants cancel claims 24 and 38-46, so the rejections of those claims are moot.

Applicants assert that Hwang et al. and the claimed invention are directed toward solving different problems. In particular, Hwang et al. describes a device and a method for recording information on a write-once medium, wherein while a defect management mode is on, the recording device can detect defects in the information written on the write-once medium in a user data area and then write a replacement block in a spare area set aside for such use. Applicants also assert that this method is limited to being performed only during the initial writing to the write-once medium, and does not allow for defect detection on a separate occasion.

In contrast, the claimed invention is directed towards writing a second information on a write-once medium which already has information recorded thereon. The second information is not merely a replacement block of Hwang et al. as described above, but is a second substantive information which the user wishes to store on the write-once medium along with the first information. To further differentiate from the cited art, Applicants amend claim 1, and similarly amend independent claims 8, 18, 19, 21, 22, 26, and 30, to recite "an instruction section for transferring a first file structure of the

first information from the write-once recording medium to the first memory, generating a second file structure for the second information based on the first file structure and instructing the drive apparatus to record the stored second information on the write-once recording medium". Support for this feature can be found it at least paragraph [0224] of original specification.

In particular, Applicants assert that Hwang et al. does not teach or suggest the feature of transferring a first file structure of the first information from the write once medium to the first memory for generating a second file structure based on the first file structure, as is described in amended claim 1. This is because, in Hwang et al., the information which is recorded on the write-once medium is already implicitly stored within the recording apparatus, and therefore would not need to be loaded.

In addition, Applicants assert that, because the invention of Hwang et al. is directed towards re-writing defective blocks in a spare area, the file structure of the spare area is the same as that of the user data area. As such, there is no need to generate a second file structure based on the first file structure as described in the claimed invention. Advantageously, this allows the write-once disc to be written upon at separate times and with different file structures, which allows for a more adaptable write-once medium.

Furthermore, Applicants amend claim 1 (emphasis added), and similarly independent claims 13, 18, 20, 21, 23 and 25, to recite "the drive apparatus includes a generation section for generating correlation information for correlating a first address information of the first file structure and a second address information of the second file structure...." Support for this feature can be found it at least paragraph [0207] of the originally filed specification.


Applicants assert that Hwang et al. does not teach or suggest the feature of generating correlation information for correlating a first address information of the first file structure and a second address information of the second file structure, as is described in amended claim 1. In particular, Hwang et al. is limited to creating information on the defect and storing the information in memory. In contrast, in the claimed invention, the correlation information is written to the write-once medium in the lead-in section, and not to memory. Advantageously, this allows for the drive device to handle correlating the two file structures without relying on the computer to convert a physical address into a logical address, as described in paragraph [0247] of originally filed specification.

Claims 2-7, 9-17, 20, 23, 25, 27-29 and 31-37 variously depend from the independent claims 1, 8, 18, 19, 26, and 30, so Applicants assert that the dependent claims 2-7, 9-17, 20, 23, 25, 27-29 and

31-37 are differentiated from the cited art for the same reasons as set forth above, in addition to their own unique features.

In view of the above remarks and amendments, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention. Accordingly, the Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814, including extension of time fees, if needed.

Respectfully submitted,



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